

United States, et al. v. INEOS ABS (USA), et al.
Civil Action. No. 1:09-CV-545
Southern District of Ohio

APPENDIX B
OF FIRST AMENDMENT TO
REVISED CONSENT DECREE

INEOS ABS

INEOS ABS (USA) Corporation

356 Three Rivers Parkway
Addyston, OH 45001

Tel (513) 467-2400

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www.ineos.com

September 14, 2010

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

As we have continued to improve our Leak Detection and Repair (LDAR) program, we have found valves and open-ended lines that have been in service at our facility, but had not been included in the program previously. When this occurs, we immediately add them into the LDAR program and perform monitoring. This letter report is to inform you that one valve (#11040) and two open-ended lines (#11030 & #10879) were discovered not in the LDAR program during third quarter monitoring. The one valve was not monitored first or second quarter 2010 and the two open-ended lines were not monitored in second quarter 2010.

In addition, during the quarterly Quality Assurance/Quality Control (QA/QC) audits, it was discovered that the technician did not certify their monitoring results on one day (July 6th) and calibration was not being performed per the requirements of Method 21 (calibration gases concentrations were not close to leak action levels, calibration record for one day was missing, expired calibration gases were used during calibration, etc.).

Also, one valve (#07116) that was reported leaking was not repaired within the five-day first attempt of repair timeframe. It was later determined that no repair had actually been done on the valve. However, when it was rescreened on the fifth day after leak detection, it was below the leak action level.

Please contact Michele Smith at (513) 467-2470 if you have any questions concerning the submitted information.

Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Clinton Herring
General Manager, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palmero, USEPA Region 5
T. Kalman, OEPA
G. Bachmann, Ohio AG
M. Kramer, HCDOES

LDAR Monitoring Sept 2010

INEOS ABS

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October 10, 2010

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

This letter report is to inform you that an agitator in our Leak Detection and Repair (LDAR) program (#000183) in the Scripset unit was not monitored in September 2010. The process unit run schedule was changed late in the month prior to monthly monitoring completion. Monitoring was to occur the week of September 27th; the process unit shut down on September 24th. This agitator was monitored on October 4, 2010.

Please contact Michele Smith at (513) 467-2470 if you have any questions concerning the submitted information.

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Clinton Herring
General Manager, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palmero, USEPA Region 5
T. Kalman, OEPA
G. Bachmann, Ohio AG
M. Kramer, HCDOES

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November 8, 2010

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

This letter report is to inform you of several issues associated with the Leak Detection and Repair (LDAR) Program. A pump (#00083) was repaired and put back into HAP service on October 29th. The pump had failed on a Method 21 screening; a visual pass was observed on the pump on October 29th. The Method 21 re-screening was not performed until November 1st at which time it passed final repair.

A drain valve (#09068) and an open-ended line (OEL) (#10619) were removed from a pump outlet discharge line sometime during third quarter and therefore were not monitored. Prior to fourth quarter monitoring in the area, the valve and OEL were re-installed and were monitored.

During fourth quarter monitoring of valves, it was discovered that a valve was misclassified as a Difficult-to-Monitor (#09137). As it was not classified as a Normal valve, it was not scheduled for monitoring until fourth quarter in our LDAR database.

During fourth quarter monitoring, one valve (#10341) and two OELs (#10342 & #10340) were added into the LDAR program that are associated with our maleic anhydride storage tank and have been present on the tank all year but not in the program.

Please contact Michele Smith at (513) 467-2470 if you have any questions concerning the submitted information.

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Clinton Herring
General Manager, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palmero, USEPA Region 5
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January 7, 2011

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

This letter report is to inform you of an issue associated with the Leak Detection and Repair (LDAR) Program. On December 29, 2010, Method 21 monitoring was performed at the site. The monitoring equipment was calibrated prior to monitoring per Method 21, including a calibration drift assessment. At the end of the shift, the calibration drift re-assessment was not completed as required in Part C, Paragraph 8 of Appendix A of the Consent Decree. The calibration drift re-assessment was performed on the monitoring equipment on January 3, 2011 and passed. The equipment was not used between December 29th and January 3rd.

Please contact Michele Smith at (513) 467-2470 if you have any questions concerning the submitted information.

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Clinton Herring
General Manager, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palmero, USEPA Region 5
T. Kalman, OEPA
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January 18, 2011

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

This letter report is to inform you that two pumps in the Leak Detection and Repair (LDAR) program were not monitored in November or December 2010 as required by Paragraph 17.b. in Appendix A of the Consent Decree. All components in the LDAR program are associated with a process unit. Even if a process unit is down, some of the components may still be in service as they may be used by another process unit. In November and December, one process unit was down and all the pumps associated with that process unit were placed Out of Service until January 2011. However, two pumps associated with that process unit were for a piece of equipment that is also used by another process unit that was running. Therefore, these two pumps should have been monitored in November and December 2010. A list has been created that indicates which pumps are common to more than one process unit. This list will be used when process units are down to determine which pumps should be placed Out of Service and which ones need to remain active. This will prevent future missed pump monitoring at the facility.

Please contact Michele Smith at (513) 467-2470 if you have any questions concerning the submitted information.

Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Clinton Herring
General Manager, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palmero, USEPA Region 5
T. Kalman, OEPA
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February 18, 2011

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

This letter report is to inform you that the connectors in an area of one process unit (MEK tank and unloading) were not monitored in 2010. These 110 connectors were monitored on February 15, 2011. Connectors at the facility were monitored by an outside contractor. The contractor used the facility Leak Detection and Repair (LDAR) drawings to identify and monitor the connectors. A drawing for this area was not given to the contractor and therefore, they did not complete the monitoring. Upon discovery, an audit was completed to determine if there were any other areas in the facility that had not been monitored; none were found.

Please contact Michele Smith at (513) 467-2470 if you have any questions concerning the submitted information.

Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Clinton Herring
General Manager, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palmero, USEPA Region 5
T. Kalman, OEPA
G. Bachmann, Ohio AG
M. Kramer, HCDOES

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March 25, 2011

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

This letter report is to inform you of issues associated with our Leak Detection and Repair (LDAR) Program. One pump (#00017) that was on the Delay of Repair list was not monitored when it was brought back into Hazardous Air Pollutant (HAP) service. It was monitored eleven days after it was brought online. Three valves (#10411, #10412 and #10413) were added into the LDAR Program but had been in existence before 2010. These valves were subsequently monitored on March 24th, March 21st, and March 25th, respectively.

Forty points (seven pumps, 26 valves, and seven open-ended lines [OELs]) in one process unit were not monitored in March 2011 (pumps) and first quarter 2011 (valves and OELs). The process unit was down most of the month and crashed within one day of start-up. The valves and OELs that were not monitored are associated with a specific product that had not run first quarter 2011 until this startup in March. There was not adequate time to complete the monitoring.

During our yearly monitoring of connectors, our contractor indicated that we had not properly classified our Difficult-to-Monitor (DTM) valves (and OELs). As a consequence, we audited our DTM valves (and OELs) and reclassified approximately 400 valves to Normal-to-Monitor and monitored them in the first quarter 2011.

Please contact Michele Smith at (513) 467-2470 if you have any questions concerning the submitted information.

Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Kenneth Schmidt
Manager, Health, Safety, Environment & Quality, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palmero, USEPA Region 5
T. Kalman, OEPA
G. Bachmann, Ohio AG
M. Kramer, HCDOES

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May 11, 2011

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

This letter report is to inform you of issues that we identified in the Equipment Replacement/Improvement Program (ERIP) in our Enhanced Leak Detection and Repair (LDAR) Program as defined in Appendix A. We feel we may have had a misinterpretation within the requirement to replace or repack valves having a Screening Value at or above 250 ppm. Specifically, the misinterpretation centers around whether a valve requires a process unit shutdown or not to replace or repack it.

In preparation of a process unit shutdown, a production supervisor asked the LDAR Administrator last week which valves in his production area were required to be replaced or repacked per the established procedure in the ERIP. The LDAR Administrator reviewed the list of valves to be replaced or repacked and did not identify any valves in this production area that were required to be replaced or repacked at this time. During this review, the LDAR Administrator further reviewed Paragraph 19.c. of Appendix A. In this paragraph, it states that any valve that has a Screening Value at or above 250 ppm is to be replaced or repacked with a Certified Low-Leaking Valve or Certified Low-Leaking Packing Technology within 30 days after the monitoring event that triggers the replacement or repacking requirement, unless the replacement or repacking requires a process unit shutdown. As a further follow-up to this requirement, the LDAR Administrator took a more detailed look at the list of all valves to be replaced or repack.

During this more critical review, each valve was looked at and challenged to see if a process unit shutdown was actually required. The LDAR Administrator asked production supervisors if their valves could be replaced or repacked without process unit shutdowns. At that time, the LDAR Administrator also asked site management their position if process unit shutdowns were required. It was then that site management decided that six valves could have been replaced or repacked without the requirement for a process unit shutdown. Historically, these valves would not have maintenance performed on them unless a process unit shutdown was initiated. However, it is technically possible for these valves to be isolated and replaced or repacked. Therefore, these valves should have been replaced or repacked within 30 days of the monitoring event identifying them as leakers. As these six valves were on the list to be replaced or repacked at the First Maintenance Shutdown, the spare parts were not in stock. The parts have been ordered and the valves are in the process of being replaced or repacked and will be completed by the end of the month.

The misinterpretation was that historically these six valves would not have been replaced or repacked unless a process unit shutdown occurred; technically however, these valves can be isolated and replaced or repacked. This will be our path forward and ask that if this interpretation is incorrect, please provide the correct interpretation to us in writing.

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August 26, 2011

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

This letter report is to inform you of an issue that was identified in the Leak Detection and Repair (LDAR) Program as defined in Appendix A. One valve (#02096) was discovered leaking on August 17th and repaired on August 18th. The valve was to be monitored on August 19th. However, the Method 21 monitoring was not completed until August 22nd. This monitoring was completed within the five-day repair period, but not completed the first business day after the repair as required in Appendix A of the Consent Decree.

Please contact Michele Smith at (513) 467-2470 if you have any questions concerning the submitted information.

Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Clinton Herring
General Manager, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palmero, USEPA Region 5
T. Kalman, OEPA
G. Bachmann, Ohio AG
M. Kramer, HCDOES

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September 22, 2011

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

This letter report is to inform you of an issue that was identified in the Leak Detection and Repair (LDAR) Program as defined in Appendix A. One valve (#01424) and one open-ended line (#10890) was discovered leaking on September 13th and repaired on September 14th. The components were not monitored until September 16th, instead of on September 15th. This monitoring was completed within the five-day repair period, but not completed the first business day after the repair as required in Appendix A of the Consent Decree. A new employee has recently been assigned to the new LDAR Technician position. There has been some misunderstandings on the timeline for monitoring after repairs. Retraining of this employee has been completed.

Please contact Michele Smith at (513) 467-2470 if you have any questions concerning the submitted information.

Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Clinton Herring
General Manager, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palmero, USEPA Region 5
T. Kalman, OEPA
G. Bachmann, Ohio AG
M. Kramer, HCDOES

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December 13, 2011

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

This letter report is to inform you that one valve (#07873) in the Leak Detection and Repair (LDAR) program and on the Delay of Repair list was not monitored when the process unit started up and material was sent through the valve as required by Paragraph 13. in Appendix A of the Consent Decree. The process unit started up on December 2nd; the valve was monitored on December 5th. This monitoring was inadvertently missed and was monitored upon discovery.

Please contact Michele Smith at (513) 467-2470 if you have any questions concerning the submitted information.

Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Clinton Herring
General Manager, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palmero, USEPA Region 5
T. Kalman, OEPA
G. Bachmann, Ohio AG
M. Kramer, HCDOES

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January 6, 2012

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

As we perform monitoring under our Leak Detection and Repair (LDAR) program, we continue to take a critical look at our components and their classifications during the monitoring events. During these monitoring events, we occasionally find additional valves, open-ended lines, and/or connectors that have been in service at our facility, but had not been included in the program previously. When this occurs, we immediately add them into the LDAR program and perform monitoring.

This letter report is to inform you that during our fourth quarter 2011 monitoring, two valves (#10453 & #10455), two open-ended lines (#10454 & #10456), and two connectors (#10455A & #10455B) in our P015 process were identified as not being located in our LDAR database. At the time of discovery, these components are all classified as Difficult-to-Monitor due to their physical location in the field. They were all promptly monitored on December 15th.

In addition, a component in our P001 process (connector #03625B) was misclassified in the field. During fourth quarter 2011 monitoring, the component was reclassified as an open-ended line (#10452).

Please contact Michele Smith at (513) 467-2470 if you have any questions concerning the submitted information.

Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Clinton Herring
General Manager, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palmero, USEPA Region 5
T. Kalman, OEPA
G. Bachmann, Ohio AG
M. Kramer, HCDOES

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March 14, 2012

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

This letter report is to inform you of issues that were identified in the Leak Detection and Repair (LDAR) Program as defined in Appendix A. One open-ended line (#10190) was discovered leaking on March 3rd and repaired on March 6th. The component was not monitored until March 8th, instead of on March 7th. This monitoring was completed within the five-day repair period, but not completed the first business day after the repair as required in Appendix A of the Consent Decree. This occurred due to miscommunication between the maintenance department and the LDAR Monitoring Technician.

As we have continued to improve our LDAR program, we have found valves and open-ended lines that have been in service at our facility, but had not been included in the program previously. When this occurs, we immediately add them into the LDAR program and perform monitoring. Five valves and six open-ended lines were found located between the day storage tanks and the process units. These valves and open-ended lines were vents and drains for the piping between the tanks and the units.

While performing leak repairs to several valves in an area in our P021 process, five connectors (09054A, 09054B, 09054C, 09054D, 09054E) were discovered not to be included in the LDAR program that should have been included. These valves have been monitored and added into the LDAR Program.

During an incident investigation in our P001 process, it was discovered that two connectors (09582D & 09285E) were not included in the LDAR Program that should have been included. These valves have been monitored and added into the LDAR Program.

Please contact Michele Smith at (513) 467-2470 if you have any questions concerning the submitted information.

Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Clinton Herring
General Manager, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palmero, USEPA Region 5
T. Kalman, OEPA
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M. Kramer, HCDOES

LDAR March 2012

INEOS ABS

INEOS ABS (USA) Corporation

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April 3, 2012

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

This letter report is to inform you of an issue that was identified in the Leak Detection and Repair (LDAR) Program as defined in Appendix A. One open-ended line (#10212) was discovered leaking on March 26th and repaired on March 29th. The component was not monitored until April 2nd. This monitoring was not completed within the five-day repair period, and was not completed the first business day after the repair as required in Appendix A of the Consent Decree. A new employee has recently been assigned to the new LDAR Technician position. Retraining of this employee has been completed.

Please contact Michele Smith at (513) 467-2470 if you have any questions concerning the submitted information.

Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Clinton Herring
General Manager, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palmero, USEPA Region 5
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May 11, 2012

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

This letter report is to inform you of issues that were identified in the Leak Detection and Repair (LDAR) Program as defined in Appendix A. One valve (#10412) in our P001 process was inadvertently put out of service in our database in first quarter 2012 and was not monitored. When discovered, the valve was monitored within seven days and was not found leaking.

One valve (#10402) in our methyl ethyl ketone (MEK) unloading area was found leaking in March 2012. It was repaired by being replaced within the required timeframe. The next shipment of MEK was on May 2nd. During that unloading (which last less than two hours), this valve was not re-tested to check to make sure it was leak-free. The next shipment of MEK will not be until the end of June or beginning of July. At that time the valve will be re-tested. The components in the MEK unloading area are used less than 300 hours per year, but they are not blown clean after use.

One valve (#03312) in our P042 process was found leaking on March 7, 2012. It was repaired by tightening the packing on March 8th. The valve was not improved within 30 days as required by the Equipment Replacement/Improvement Program per Paragraph 19.c. of Appendix A. It was replaced on May 1st.

Please contact Michele Smith at (513) 467-2470 if you have any questions concerning the submitted information.

Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Clinton Herring
General Manager, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palmero, USEPA Region 5
T. Kalman, OEPA
G. Bachmann, Ohio AG
M. Kramer, HCDOES

LDAR May 2012

INEOS ABS

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June 1, 2012

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

This letter report is to inform you of an issue that was identified in the Leak Detection and Repair (LDAR) Program as defined in Appendix A. Three components (#09880, #09904, & #09930) were identified as connectors in our LDAR database when actually they were open-ended lines. Their classification was changed and they were promptly monitored and will continue to be monitored quarterly. None of these components have leaked in the past. In addition, one component (#07846) was identified as a valve in the database, but is an open-ended line. Its classification was changed too.

Please contact Michele Smith at (513) 467-2470 if you have any questions concerning the submitted information.

Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Clinton Herring
General Manager, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palmero, USEPA Region 5
T. Kalman, OEPA
G. Bachmann, Ohio AG
M. Kramer, SWOQA

INEOS ABS

June 8, 2012

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

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356 Three Rivers Parkway
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RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

This letter report is to inform you that Net Heating Value of the Flare Gas (NHVFG) at the Flare was less than the required 200 BTU/scf as a one-hour Block Average as required by Paragraph 19.a.i. In addition, this report is to inform you of a valve that was inactive in the LDAR program, but was actually an active valve.

The NHVFG One-Hour Block Average at the Flare was less than 200 BTU/scf on May 14th at 09:35. This noncompliance was recognized on June 4th when the May 2012 monthly monitoring report was completed. The P001 Process was down during this period of time with no movements of 1,3-butadiene. Any flow to the Flare would have been through storage tank breathings. As such, there were intermittent times when the flow of 1,3-butadiene to the Flare was greater than 1 lb/hr during a five-minute period; these periods of time were also sporadic in nature. One five-minute period with low total flow to the Flare is not a sufficient period for the Flare to reach the required NVHFG of 200 BTU/scf. These intermittent and low five-minute averages caused the NHVFG One-Hour Block Average to be below the 200 BTU/scf limit.

Upon investigation of this event and further investigation of the November 2011 events, it was observed that all these events occur when the total flow to the Flare was less than 100 lb/hr. As a corrective action to prevent reoccurrence, the total flow to the Flare will be set at a minimum of 100 lb/hr, the makeup being the addition of nitrogen to the stream going to the Flare.

One valve (#6051) in our P047 process was listed as inactive in our LDAR database in 2009 and was not monitored since that time. The valve was actually an active valve. It was discovered on June 6th and monitored that day; it was not leaking at this monitoring.

Please contact Michele Smith at (513) 467-2470 if you have any questions concerning the submitted information.

Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Clinton Herring
General Manager, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palmero, USEPA Region 5
T. Kalman, OEPA
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Flare Low NHVFG May 2012

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June 29, 2012

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

This letter report is to inform you of issues that were identified in the Leak Detection and Repair (LDAR) Program as defined in Appendix A. One valve (#08638) in our P001 process was inadvertently put out of service in our database in July 2009 when one portion of the process was taken out of service. However, this valve continues to see monomer on one side and should have been monitored. When discovered, the valve was monitored within seven days and was not found leaking.

Please contact Michele Smith at (513) 467-2470 if you have any questions concerning the submitted information.

Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Clinton Herring
General Manager, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palmero, USEPA Region 5
T. Kalman, OEPA
G. Bachmann, Ohio AG
M. Kramer, SWOQA

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August 1, 2012

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

This letter report is to inform you that several pumps and agitators in the Leak Detection and Repair (LDAR) program were not monitored in July 2012 as required by Paragraph 17.b. in Appendix A of the Consent Decree. Eighteen pumps and seven agitators in our P047 Process Unit were not monitored in July 2012. The process unit ran the first six days of the month and shut down for maintenance reasons. No LDAR monitoring was performed these days as the LDAR Technician and Administrator were on vacation. The Process Unit was to resume operations at the end of the month. During the shutdown, it was determined that the unit would not restart in July for inventory control reasons. As the pumps and agitators were not monitored within the first six days of the month, they were not monitored in July.

One agitator (#04958) in our Process Unit P004 was not monitored in July 2012. Process Unit P004 did not operating in July 2012. However, even if a process unit is down, some of the components may still be in service as they may be used by another process unit. In July, Process Unit P015 was operating and agitator #04958 was used, but not monitored. This agitator was overlooked. Training has been completed to prevent this from occurring again.

Please contact Michele Smith at (513) 467-2470 if you have any questions concerning the submitted information.

Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Clinton Herring
General Manager, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palmero, USEPA Region 5
T. Kalman, OEPA
G. Bachmann, Ohio AG
M. Kramer, SWOAQA

3. LDAR Internal Audit – Fourth Quarter 2012

The LDAR program at this facility contains close to 16,000 components. We have had three third-party audits performed (Conestoga-Rovers in 2010, Environmental Quality Management in 2011, and TRC Environmental in 2012) that confirmed the LDAR inventory and resulted in the discovery of only one missed component.

Nevertheless, as we have previously disclosed, internal inspections after those audits were conducted uncovered additional components that have not been included in the LDAR inventory. Frustrated by these discoveries, we completed a comprehensive internal audit of the entire facility. This audit resulted in the discovery of several components that were not included in the LDAR Inventory, several components that did not meet the requirement to be in the LDAR program, and several components that were in the LDAR inventory twice (i.e., an open-ended line also in the inventory as a connector). This audit started in third quarter 2012 and was completed in fourth quarter 2012. The audit resulted in the discovery of the following components that were not included in the LDAR inventory and the removal of the following components from the LDAR inventory:

Process Unit	No. of Valves		No. of OELs		No. of Connectors	
	Added	Deleted	Added	Deleted	Added	Deleted
P001	15	21	4	2	173	284
P004	12	0	11	0	239	85
P015	18	0	23	0	272	145
P021	1	1	1	0	82	55
P042	28	33	36	4	776	384
P047	14	2	12	0	522	251
P048	1	0	3	0	85	26

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September 24, 2012

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

This letter report is to inform you of an issue that was identified in the Leak Detection and Repair (LDAR) Program as defined in Appendix A. One open-ended line (#10534) was discovered leaking on September 17th and repaired on September 19th. The component was not monitored until September 21st. This monitoring was completed within the five-day repair period, but was not completed the first business day after the repair as required in Appendix A of the Consent Decree.

Please contact Michele Smith at (513) 467-2470 if you have any questions concerning the submitted information.

Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Eric Cassisa
Plant Manager, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palmero, USEPA Region 5
T. Kalman, OEPA
G. Bachmann, Ohio AG
B. Pray, SWOQA

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January 8, 2013

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

This letter report is to inform you that several connectors in our Leak Detection and Repair (LDAR) program in the P004 and P015 process unit were not monitored in calendar year 2012. On October 20th, the P004 process unit shut down unexpectedly due to an equipment malfunction. The equipment could not be repaired by the end of the year. Connectors were scheduled to be monitored in this process unit in November. As such, 711 connectors were not monitored. These connectors will be monitored within one week of the process unit startup, which is tentatively planned for late January 2013.

One area in our P015 process unit runs very infrequently as it is used only to make one specialty product. It uses a material (maleic anhydride) that remains in the lines and equipment when the process unit is not using the material. However, without heat to the material, it solidifies and it remains in this state until it is ready to be used. In 2012, this area was in operation for less than one week in May. During that time, all valves, open-ended line, and pumps were monitored except 26 connectors and three difficult-to-monitor valves. In May 2012, it was not known that this product would not be scheduled for the remainder of the year. Current plans have this area of the process unit used next in December 2013. At that time, all connectors, valves, open-ended lines, and pumps will be monitored.

Please contact Michele Smith at (513) 467-2470 if you have any questions concerning the submitted information.

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Eric Cassisa
Site Manager, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palmero, USEPA Region 5
T. Kalman, OEPA
G. Bachmann, Ohio AG
M. Kramer (B. Pray), SWOQA

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February 18, 2013

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

This letter report is to inform you that several valves in our Leak Detection and Repair (LDAR) program in the P004 process unit were misclassified in the field as difficult-to-monitors when actually they are normal to monitors. The classification of these valves (#09205, 09206, 09207, 09208, 09209 & 09211) has been changed in the LDAR program. These valves were monitored within one week and will continue to be monitored quarterly.

One valve (#04186) in our P004 process was on Delay of Repair awaiting a process unit shutdown to perform the repair. The valve was repaired, but was not monitored on the day the process unit started up on January 18, 2013. Instead, the valve was monitored on January 21, 2013.

The internal audit of the LDAR component inventory was completed in December 2012. Since that time, some additional components have been discovered and removed from the LDAR inventory as stated below:

Process Unit	No. of Valves		No. of OELs		No. of Connectors	
	Added	Deleted	Added	Deleted	Added	Deleted
P001	2	3	1	1	14	7
P004	1	1	2	2	63	5
P015	3	0	0	0	68	0
P021	1	0	0	0	2	0
P042	2	4	2	0	1	0
P047	4	2	0	1	11	5
P048	0	0	3	0	25	0

Please contact Mark Townsend at (513) 467-2352 if you have any questions concerning the submitted information.

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January 10, 2014

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

This letter report is to inform you that several connectors and the difficult to monitor (DTM) components in our Leak Detection and Repair (LDAR) program in the P015 process unit were not monitored in calendar year 2013. On August 30th, the P015 process unit was shutdown to install a new control system and make improvements on the feed systems and pelletizing systems. The unit was scheduled to come back up in mid October. There were problems surrounding the new control system and the unit did not come back up in the calendar year. Connectors and DTM components were scheduled to be monitored in this process unit in November. As such, 993 connectors and DTM components were not monitored. These connectors and DTM components will be monitored within two weeks of the process unit startup, which is tentatively planned for January 2014.

Please contact Bradley Fattlar at (513) 467-2184 if you have any questions concerning the submitted information.

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Eric Cassisa
Site Manager, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palermo, USEPA Region 5
B. Weinburg, OEPA
G. Bachmann, Ohio AG
M. Kramer (B. Pray), SWOQA

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August 21, 2014

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

This letter report is to inform you that a combination of 58 valves and open ended lines (OEL's) were not monitored under their quarterly frequency since the project went into service on March 12, 2014. The components were added due to a new acrylonitrile rail car unloading project. These components belong to process unit P001. The components were not monitored for first or second quarter 2014. The components were put into the LDAR program on August 18 and 19, 2014. All of the components were monitored on August 19, 2014. No leaks were identified during the monitoring. One valve and one OEL were classified as DTM and will be monitored prior to the end of the 2014 calendar year. One pump was also added to the program on August 19, 2014, but since it is a magnetic drive pump it is seal less and does not require monitoring, but has been included into the program anyway. The associated connectors will be monitored prior to the end of the 2014 calendar year.

A MOC was issued for this project; the environmental department was also aware of this change and its impact on the LDAR program but was ultimately overlooked when the project was implemented in March 2014.

Please contact Bradley Fattlar at (513) 467-2184 if you have any questions concerning the submitted information.

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Eric Cassisa
Site Manager, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palermo, USEPA Region 5
B. Weinburg, OEPA
G. Bachmann, Ohio AG
M. Kramer (B. Pray), SWOAQA

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September 12, 2014

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Consent Decree Civil Action No. 1:09-CV-545
Effective Date February 4, 2010

Dear Sirs:

Comments: Corrected from 42 to 43

This letter is to inform you that 43 difficult to monitor (dtm) valves were not monitored for the calendar year of 2013. This was discovered during the annual third party audit. This was due to a known glitch with the LeakDAS software that the site uses. LeakDAS automatically notifies what components are required to be monitored by a certain end date. Due to an issue with the database, these components were not listed to be monitored by the end of 2013. INEOS ABS did not realize that there were any unmonitored components. The monitoring technician never before monitored dtm components thus was not able to recognize components were not monitored. All have since been monitored with no leaks detected. INEOS ABS is currently working with LeakDAS and will upgrade to the newest version of LeakDAS when it comes available. INEOS ABS is going to manually confirm all dtm components are monitored in 2014.

Please contact Bradley Fattlar at (513) 467-2184 if you have any questions concerning the submitted information.

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.

Respectfully Submitted,

Eric Cassisa
Site Manager, NAFTA
INEOS ABS (USA) Corporation

cc: M. Palermo, USEPA Region 5
B. Weinburg, OEPA
G. Bachmann, Ohio AG
M. Kramer (B. Pray), SWOQA